

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 12-11704-RGS

CHARLES N. DIORIO

v.

MICHAEL G. BELLOTTI, ET AL.

MEMORANDUM AND ORDER FOR DISMISSAL

November 13 , 2012

STEARNS, D.J.

On August 27, 2012, plaintiff Charles N. Diorio (Diorio), a prisoner in custody at the Norfolk County Sheriff's Office and Correctional Center, filed a civil rights complaint stemming from the alleged opening of his legal mail.

On September 21, 2012, this court issued a Memorandum and Order (Docket No. 4) denying Diorio's Motion for Leave to Proceed *in forma pauperis* and directing him either to pay the \$350.00 filing fee or file a renewed *in forma pauperis* motion along with his certified prison account statement, within 21 days. Additionally, Diorio was directed to file, within 42 days, an amended complaint that comported with the requirements of Rule 8 of the Federal Rules of Civil Procedure, and to show good cause why his case should not be dismissed for the reasons set forth in the Memorandum and Order.

To date, Diorio has not paid the filing fee or filed an *in forma pauperis* motion as directed. He also has not filed an amended complaint or a show cause response as directed. The time period for compliance with the Memorandum and Order has expired, and no request for an extension has been filed timely.

Accordingly, for the failure to satisfy this court's filing fee requirements and the failure to

comply with the directives of this court, and for the substantive reasons set forth in the Memorandum and Order (Docket No. 4), this action is hereby Ordered DISMISSED in its entirety.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE